

excavating practices that can reduce the threat of third-party damage to gas and hazardous liquid pipelines. They can also mitigate environmental and other concerns associated with traditional trenching methods of pipe and cable installation.

However, the potential exists for trenchless technology operations to damage underground facilities, sometimes with catastrophic results. Directional drilling and other trenchless technology operations employ a variety of cutting, jetting, boring, reaming, and jacking techniques. These techniques can result in rupture or damage to existing underground facilities, including oil and gas pipelines, electric cables and ducts, water and sewer pipes, telecommunications ducts, fiber optic cables, and cable television facilities.

Usually, the exact depth of existing underground facilities is not known, even if the facilities are accurately located before directional drilling commences. In addition, many facilities are buried deeper than the minimums required by law and regulation. This can be caused by changes in the surface contours due to agricultural activities, landscaping, and road building.

Damage to underground facilities can occur without any immediate indication to the operator. Sometimes a damaged underground facility will not fail for years after the completion of trenchless technology operations. Drilling equipment does not need to fully rupture a facility to create a hazardous situation. Damage to coatings and other corrosion prevention systems can increase the risk of a delayed corrosion failure. Escaping and migrating gas can create a safety issue for people living and working near these facilities long after the completion of directional drilling and other trenchless technology operations. Leakage from a damaged or ruptured hazardous liquid pipeline can create environmental and safety issues.

The primary safety concern is ensuring that trenchless technology operations do not accidentally contact existing underground facilities. This can be averted by knowing the precise locations of all underground facilities in proximity to trenchless technology operations. In addition to full compliance with the one-call notification process, the operator should also consider thorough site surveys of the area of a proposed directional drilling or trenchless technology project to locate potential conflicts with underground facilities.

Information on the safe conduct of trenchless technology operations is available from various trade associations

and technical publications. In addition, the Gas Piping Technology Committee, a standards committee composed of experts on gas piping issues, publishes guidelines for planning and designing trenchless technology pipe installations in its Guide for Gas Transmission and Distribution Piping Systems, which is available from the American Gas Association.

Issued in Washington, D.C. on August 23, 1999.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket Nos. 33788 and 33789]

Norfolk Southern Railway Company—Trackage Rights Exemption—Over North Carolina Railroad Company; Atlantic and East Carolina Railway Company—Trackage Rights Exemption—Line of North Carolina Railroad Company Operated Under Trackage Rights by Norfolk Southern Railway Company

In STB Finance Docket No. 33788, North Carolina Railroad Company (NCRR) has agreed to grant to Norfolk Southern Railway Company (NSR) exclusive local and overhead freight trackage rights over its entire line of railroad between Charlotte and Morehead City, NC.¹ The line extends between mileposts EC-0.0± and EC-94.7±; mileposts H-0.0± and H-129.5±; and mileposts 284.0± and 376.5±, a distance of approximately 317.2 miles in Alamance, Cabarrus, Carteret, Craven, Davidson, Durham, Guilford, Johnston, Jones, Lenoir, Mecklenburg, Orange, Randolph, Rowan, Wake, and Wayne Counties, NC.

Under the agreement, NSR is permitted to grant trackage rights to its subsidiaries. Accordingly, in STB Finance Docket No. 33789, NSR has agreed to grant to its wholly owned subsidiary, Atlantic and East Carolina Railway Company (AECR), local and overhead trackage rights over a portion of NCRR's line between Goldsboro, NC, and Morehead City. That portion extends between mileposts EC-0.0± and EC-94.7±, a distance of approximately

¹ NSR is permitted to continue in effect existing and certain future agreements pertaining to passenger operations by the National Railroad Passenger Corporation (Amtrak) over the line. The Board's jurisdiction is not implicated as to this provision of the agreement.

94.7 miles in Carteret, Craven, Jones, Lenoir, and Wayne Counties.

The exemption was effective on August 19, 1999, and the trackage rights operations are scheduled to begin on September 1, 1999.

The purpose of the trackage rights is to allow NSR and AECR to continue as the providers of local and overhead freight service on the NCRR lines, as they have previously done under now-expired leases.²

As a condition to these exemptions, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

These notices are filed under 49 CFR 1180.2(d)(7). If either contains false or misleading information, both exemptions are void *ab initio*. Petitions to revoke the exemptions under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.³

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33788, STB Finance Docket No. 33789, or both (as applicable) must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on G. Paul Moates, Esq., Sidley & Austin, 1722 Eye Street, N.W., Washington, DC 20006.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: August 23, 1999.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

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² See *North Carolina Railroad Company—Petition to Set Trackage Compensation and Other Terms and Conditions—Norfolk Southern Railway Company, Norfolk & Western Railway Company, and Atlantic and East Carolina Railway Company*, STB Finance Docket No. 33134 (STB served May 29, 1997) (*NCRR Compensation*).

³ In a pending motion in *NCRR Compensation*, intervenor Walker F. Rucker seeks an order that he and the State of North Carolina be allowed and directed to participate in the negotiations for the trackage rights agreements that are the subject of this notice of exemption. The parties hereto replied, and Mr. Rucker responded to their replies. That collateral dispute provides no basis for rejection of the notice of exemption in this proceeding.